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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,269	10/13/2003	Georg Mayer	NOKM.064PA	1737
7590	02/27/2006		EXAMINER	
Hollingsworth & Funk, LLC Suite 125 8009 34th Avenue South Minneapolis, MN 55425				NGUYEN, STEVEN H D
		ART UNIT	PAPER NUMBER	2665

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PN

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/684,269	MAYER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Steven HD Nguyen	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 December 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-43 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 15-43 is/are allowed.  
 6) Claim(s) 1-8 and 10-14 is/are rejected.  
 7) Claim(s) 9 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 8 and 10-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ejzak et al. (US 20040196967).

Regarding claim 1, Ejzak discloses a method for releasing a communication session involving network entities including session endpoints (Fig 3, Ref 218 and 220) and intermediary network entities (Fig 12, ref 212, 202, 214 and 216), comprising subscribing one or more of the network entities as subscribers to one or more of the intermediary network entities serving as notifiers (Fig 3, Ref 212, 202, 214 and 216) releasing the communication session at a first one of notifiers initiating a session release notification via a signaling protocol from the first notifier to its respective subscriber (Figs 10-16, Ref 508 and 604 for releasing a session) logically advancing the session release notification towards a remote one of the session endpoints via the intermediary network entities (Figs 10-16, bye message transmitted via proxy SIP server to the end point); and terminating the communication session at each of the network entities receiving the session release notification (Figs 10-16, See OK to bye).

Regarding claim 2, Ejzak discloses the signaling protocol comprises a Session Initiation Protocol (SIP) wherein the intermediary network entities comprise Call Session Control

Functions (CSCFs) in an EP Multimedia core network Subsystem (IMS) (Fig 10, Ref CSCF and proxy server in IMS, Page 2, Sec 29).

Regarding claim 3, Ejzak discloses that initiating a session release notification comprises generating the session release notification in conformance with the signaling protocol, and wherein logically advancing the session release notification comprises passing the session release notification to the remote session endpoint by way of the intermediary network entities (Figs 10-16, bye message transmitted via proxy SIP server to the end point and OK to bye message)

Regarding claim 4, Ejzak discloses the first notifier comprises a Proxy Call Session Control Function (P-CSCF) in an IP Multimedia core network Subsystem (IMS) (Fig 10, Ref 608 and Page 5, Sec 29).

Regarding claim 5, Ejzak discloses that passing the session release notification to the remote session endpoint by way of the intermediary network entities comprises forwarding the session release notification from one intermediary network entity to another intermediary network entity until reaching the remote session endpoint (Figs 10-16, bye message transmitted via proxy SIP server to the end point and OK to bye message).

Regarding claim 6, Ejzak discloses that initiating a session release notification comprises generating a first session release notification in conformance with the signaling protocol (Fig 10, Bye), and wherein logically advancing the session release notification comprises sending the first session release notification to the subscriber of the first notifier (Fig 10, Ref 604), wherein the subscriber of the first notifier serves as a second notifier to the remote one of the session end points (Fig 10, Ref 602); and generating a second session release notification at the second

notifier, and passing the second session release notification to the remote session endpoint by way of the intermediary network entities (Fig 15, Ref 604).

Regarding claim 8, Ejazk discloses terminating the communication session at each of the network entities comprises treating the session release notification as a session termination message in conformance with the signaling protocol at each of the network entities receiving the session release notification (SIP "BYE" is a termination message of figs 10-16).

Regarding claim 10, Ejazk discloses that the subscribing one or more of the network entities as subscribers comprises subscribing in conformance with the signaling protocol (Fig 3).

Regarding claim 11, Ejazk discloses that the subscribing in conformance with the signaling protocol comprises subscribing via a Session Initiation Protocol (SIP) (Fig 3).

Regarding claim 12, Ejazk discloses that the signaling protocol comprises an end-to-end signaling protocol (SIP is an end-to-end signaling protocol, Fig 3).

Regarding claim 13, Ejazk discloses that the end-to-end signaling protocol comprises a Session Initiation Protocol (SIP) (Fig. 3 all steps are SIP), and wherein the intermediary network entities comprise Call Session Control Functions (CSCFs) (Fig 10, Ref 508 and 604).

Regarding claim 14, Ejazk inherently discloses that the at least one of the network entities serves as both a subscriber and a notifier (CSCF in fig. 10 is both a subscriber and a notifier).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Ejzak in view of Gabor (US 20040203710).

Regarding claim 7, Ejzak fails to disclose the first notifier comprises a Serving Call Session Control Function (S-CSCF), and the second notifier comprises a Proxy Call Session Control Function (P-CSCF), in an IP Multimedia core network Subsystem (IMS). In the same field of endeavor, Gabor discloses CSCF consisting of S-CSCF and P-CSCF (Page 2, Sec 27). Since, it is well known and expected in the art that CSCF is consisting of S-CSCF and P-CSCF. Therefore, it would have been obvious to one of ordinary skill in the art to apply S-CSCF and P-CSCF as disclosed by Gator into Ejzak's system and method. The motivation would have been to reduce the load for CSCF server.

#### ***Allowable Subject Matter***

4. Claims 15-43 are allowable.
5. Claim 9 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

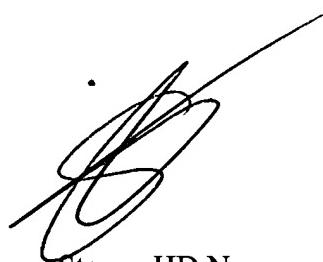
6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steven HD Nguyen  
Primary Examiner  
Art Unit 2665  
February 15, 2006